

Docket No. F-6723

Ser. No. 09/758,929

**REMARKS**

Claims 4 - 6 remain pending in this application. Claims 4 - 6 are rejected.

Claims 1 - 3 are previously cancelled.

Claims 5 and 6 are amended herein to overcome the Examiner's 35 U.S.C. 112, second paragraph bases for rejection of the previous versions of those claims. The rejections are believed to have been overcome by the amendments made to those claims hereinabove.

The antecedent basis issue in previous claim 5 has been overcome by amending the term objected to, namely "said object data", to read "said object datum" so as to agree in number with the term used earlier in the claim.

The dependencies of claims 5 and 6 have been amended to currently co-pending claims 4 and 5, respectively.

In the Office Action, previous claims 4 - 6 were rejected under 35 U.S.C. 103(a) as being unpatentable for obviousness over U.S. Patent 6,385,636 to Suzuki, in view of U.S. Patent 6,687,737 to Landsman.

The Examiner contends that Suzuki discloses an apparatus having all of the elements of the apparatus of the present application according to previous claim 4, except for the element and feature of a client/server system wherein an applet agent from the server is sent to the client and is cached in the client browser so that

Docket No. F-6723

Ser. No. 09/758,929

whenever a client executes an ad applet, a request for ad content is sent to an ad controller in the client browser without having to go to the server, which the Examiner contends is disclosed in Landsman, so that it would have been obvious to a person of ordinary skill in the art at the time the present invention was made to have combined the disclosure of Landsman with that of Suzuki, which the Examiner contends would have resulted in the same apparatus as that taught according to previous claim 4 of the present application.

With regard to previous claims 5 and 6, the Examiner further contends that Landsman further respectively discloses defining operation processing between elements of object data and an object data operating unit for conducting operation processing between elements of object datum; and the use of a dependence relation managing unit transition sensor applet for rearranging an order of operations depending on the dependence relations between data items based on operations definitions, such that an object data operating unit conducts operations in accordance with the rearranged order.

Applicant respectfully disagrees with the Examiner's analysis of Suzuki and Landsman and the Examiner's contention of obviousness of previous claims 4 - 6 in view of a combination thereof. Applicant respectfully traverses the Examiner's rejection for the following reasons. Applicant also restates with full force and effect the arguments made in the previous Amendment.

Docket No. F-6723

Ser. No. 09/758,929

Suzuki discloses a data processing system that is distributed between a server node and a client node.

In contrast, the system of the present application is exclusively a user node based system. Therefore, the elements of the present system are different from those of Suzuki and processing occurs only at a single node in the invention of the present application, whereas in Suzuki, the processing load is shared between both nodes.

Suzuki discloses a distributed processing system with at least one client node and at least one server node, wherein each client node includes task request means for generating a task request to the at least one server node to process a predetermined task; a task program executing means for executing the requested predetermined task from the server node and executing the task in accordance with the content of a response signal returned from the at least one server node in response to the task request; a task result acquiring means for receiving one of the result of client node execution of the program received from the server node and the result of the predetermined task as executed by the server node, wherein each of the at least one server nodes includes a processing load measuring means for measuring the processing load of the server node; response means responsive to the measured processing load of the server node for returning to each requesting client node at least one response signal pertaining to the predetermined task; program

Docket No. F-6723

Ser. No. 09/758,929

sending means for sending the program for client execution of the predetermined task to each requesting client node when each node is to execute the predetermined task; and task executing means for executing the predetermined atsk and sending the result of execution to each requesting client node.

Therefore, it can be seen that the structure of the system of Suzuki, including the individual components and elements thereof, as well as the function and purpose of the overall system and components and elements of Suzuki and the system of the present application, as recited according to new claims 4 - 6 of the present application, are completely different.

Similarly, applicant respectfully disagrees that Landsman discloses anything that in combination with Suzuki renders obvious any aspects of new claims 4 - 6, as presented herein.

Even if Landsman disclosed certain isolated, individual features that may be analogous to features of the system of the present application, there is, first and foremost, nothing in either of the two references themselves that suggests their combination, since neither one discloses or suggests anything that is relevant to overcoming a still perceived need in the art as disclosed by the other, or something that could be utilized to overcome such a need. Any suggestion to combine the disclosure of selective aspects of the two references to allegedly produce the same result as the system of the present application, as recited in new claims 4 - 6 of the

Docket No. F-6723

Ser. No. 09/758,929

present application, therefore, is based on hindsight, and in any case, even when such selective combination is made, as has been done by the Examiner, the result is really different from the system of the present application, as claimed according to new claims 4 - 6 of the present application, because, as has been stated above, the system and components and elements thereof of the present application are both structurally and functional different from those of Suzuki, so that even if selected and isolated aspects of Landsman are combined with Suzuki, the resulting combination is different from the system of the present application.

For the foregoing reasons, it is respectfully requested that the Examiner withdraw the 35 U.S.C. 103(a) based rejection in view of Suzuki in combination with Landsman; that such rejection be found inapposite to new claims 4 - 6 and that such rejection not be applied to new claims 4 - 6; and that after reconsideration and further examination of the present application in view of the present amendment presenting new claims 4 - 6, and supported by the arguments made herein above, new claims 4 - 6 of the present application be found to be in-condition-for - allowance, the early notification of which is earnestly solicited.

No additional claims fees are due with the filing of this Amendment.

Applicant respectfully requests a three month extension of time for responding to the Office Action. Please charge the fee of \$510.00 for the extension of time to Deposit Account No. 10-1250. Applicant continues to have Small Entity

Docket No. F-6723

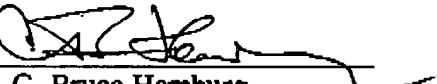
Ser. No. 09/758,929

status. A Notice of Appeal accompanies this response. Authorization to charge the fee therefor is made therein.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,  
JORDAN AND HAMBURG LLP

By



C. Bruce Hamburg  
Reg. No. 22,389  
Attorney for Applicants

Jordan and Hamburg LLP  
122 East 42nd Street  
New York, New York 10168  
(212) 986-2340

enc: Notice of Appeal